



PUBLIC NOTICE

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WIRELESS TELECOMMUNICATIONS BUREAU MAILS ITS SECOND LICENSE AUDIT LETTER AND NOTICE OF CANCELLATION TO CERTAIN LICENSEES IN THE PAGING AND RADIOTELEPHONE SERVICE AND SITE-SPECIFIC LICENSEES OPERATING ON 929-930 MHz PRIVATE CARRIER PAGING EXCLUSIVE CHANNELS

Licensees Must Respond Electronically by January 21, 2005

On December 7, 2004, the Wireless Telecommunications Bureau mailed its second audit letter and notice of cancellation to licensees authorized under Part 22 in the Paging and Radio Telephone Service with a "CD" radio service code and site-specific licensees authorized on exclusive channels under Part 90 with a "GS" radio service code. The audit was first announced on August 24, 2004 and is being performed to determine the operational status of these licenses.¹ The audit began the week of September 27, 2004 when audit letters were mailed to all affected licensees at their address of record in the Universal Licensing System (ULS).²

This second audit letter and notice of cancellation was mailed to licensees that did not respond to the first audit letter.³ The audit letter was mailed to each such licensee at its address of record in ULS. Each such licensee to whom a second audit letter and notice of cancellation was sent must respond and certify by **January 21, 2005** that its authorized station(s) has not discontinued operations as defined under 47 C.F.R. §22.317. Section 22.317 states that "any station that has not provided service to subscribers for 90 continuous days is considered to have been permanently discontinued, unless the applicant notified the FCC otherwise prior to the end of the 90 day period and provided a date on which operation will resume, which date must not be in excess of 30 additional days." A licensee will receive only one audit letter for all of its authorizations in the CD and/or GS radio service if the licensee had verified the address was listed correctly in ULS, obtained its FRN, and associated its call signs with the FRN by September 25, 2004. If the licensee did not ensure the address was correct in ULS, did not

¹ See Public Notice "Wireless Telecommunications Bureau Announces an Audit of the Operational Status of Stations Authorized in the Paging and Radiotelephone Service (Part 22) and Stations Operating on 929-930 MHz Private Carrier Paging Exclusive Channels (Part 90)," DA No. 04-2596 (rel. Aug. 24, 2004).

² See Public Notice "Wireless Telecommunications Bureau Begins an Audit of Site-Specific Licenses in the Paging and Radiotelephone Service (Part 22) and Site-Specific Licenses Operating on 929-930 MHz Exclusive Private Carrier Paging Channels (Part 90)," DA No. 04-3050 (rel. Sept. 29, 2004).

³ A small number of licensees did not receive the first audit letter or, if they received a letter, one or more frequencies were missing from the audit response module. This oversight was caused by a minor malfunction in the software program. These licenses and frequencies are included in this second audit letter.

obtain its FRN, and did not associate its call signs with the FRN by September 25, 2004, the Bureau will attempt to include all of a licensee's call signs subject to this audit in one letter, but may issue more than one letter for an entity due to slight variations in licensee name or address in the Commission's ULS records.⁴ If this is the case, the licensee must respond to **each** letter sent by the Commission in order to account for all of its call signs that are part of the audit.

If a licensee holds an authorization(s) in either of these radio services and does not receive an audit letter, the licensee may still be required to respond to the audit. Licensees can use the *Audit Search* at <http://wireless.fcc.gov/licensing/audits/paging> to determine if a particular license is part of the audit. If the *Audit Search* shows an audit letter was mailed, the licensee is required to respond to the audit even though the audit letter may not have been received. For instructions on how to proceed in this instance, call the Bureau's hot line at 877-480-3201.

A response to this second audit letter and notice of cancellation is mandatory. Each licensee is required to submit its response(s), electronically, by January 21, 2005. Instructions for responding to the audit are included in the audit letter and are also provided on the certification page of the audit response module. **Failure to provide a timely response may result in the Commission presuming that the station has been non-operational as defined under Section 22.317, and thus the license may be presumed to have automatically cancelled. Failure to provide a timely response may also result in enforcement action, including monetary forfeiture, pursuant to Section 503(b)(1)(B) of the Communications Act and Section 1.80(a)(2) of the Commission's Rules.**⁵

For assistance in registering with CORES and associating your call sign with the FRN, call 877-480-3201. For additional information on the paging license audit, visit the license audit web site at <http://wireless.fcc.gov/licensing/audits/paging> or contact Denise Walter of the Bureau's Mobility Division at 202-418-0620 or denise.walter@fcc.gov.

⁴ In this case, each letter will list different call signs associated with that exact licensee name and address.

⁵ See 47 U.S.C. § 503(b)(1)(b); 47 C.F.R. § 1.80(a)(2).